

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER MARKS,

Plaintiff,

No. C 05-00255 JSW

v.

JET EQUIPMENT AND TOOL
CORPORATION,

Defendant.

**ORDER GRANTING MOTION TO
DISMISS FIFTH CAUSE OF
ACTION AND GRANTING
MOTION TO TRANSFER**

On January 25, 2005, Defendant WMH Tool Group, Inc., erroneously sued as Jet Equipment and Tool Corporation, filed a motion to dismiss the fifth cause of action for fraud and a motion to transfer. On April 21, 2005, Plaintiff filed a statement of non-opposition. Therefore, the Court HEREBY GRANTS Defendant's motion to dismiss the fifth cause of action for fraud and HEREBY GRANTS Defendant's motion to transfer the entire matter to the Eastern District of California, Sacramento Division. The hearing date of May 6, 2005 on Defendant's motion is HEREBY VACATED. The Clerk is directed to transfer this case, forthwith.

IT IS SO ORDERED.

Dated: April 25, 2005

/s/ Jeffrey S. White
JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE